

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Attorney Docket No.: 5035.01US02

John G. Stark

Confirmation No.: 3292

Application No.: 10/797,481

Examiner: Comstock, D.

Filed: March 10, 2004

Group Art Unit: 3733

For: SACROILIAC JOINT IMMOBILIZATION

RESPONSE TO INTERVIEW SUMMARY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant thanks the Examiner for the courtesy extended to the Applicant, Dr. John Stark, and Applicant's undersigned representative in a phone interview on August 18, 2009. The distinctions between the teachings of U.S. 5,334,205 to Cain and Applicant's claimed procedure were discussed. In particular, Dr. Stark explained the distinctions in the context of the physiology of the sacroiliac joint. The Examiner agreed that the positive recitation of the driving apart of the surfaces of the ilium and the sacrum distinguished the Cain reference. The Examiner noted that an updated search and additional consideration would be performed.

Applicant further appreciates the Examiner's cooperation in resolving any further issues with a phone call to Applicant's representative if this can lead to efficient handling of the issues.

Respectfully submitted,

/Peter S. Dardi/

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Please grant any extension of time necessary for entry; charge any fee due to Deposit Account No. 50-3863.

CERTIFICATE OF ELECTRONIC TRANSMISSION

I hereby certify that this paper is being transmitted electronically to the U.S. Patent and Trademark Office on the date shown below.

August 31, 2009
Date

/Peter S. Dardi/
Peter S. Dardi, Ph.D., Reg. #39,650